

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ROBERT LEE NEALY,	:	
	:	
Petitioner	:	
	:	
VS.	:	
	:	NO. 5:01-CR-24 (WDO)
UNITED STATES OF AMERICA,	:	
	:	
Respondent	:	<u>ORDER</u>

Before the Court is petitioner **ROBERT LEE NEALY’S** motion for issuance of a certificate of appealability (“COA”) to appeal the judgment of this Court denying his application for habeas relief under 28 U.S.C. § 2254. Under 28 U.S.C. § 2253(c), a COA may issue only if the applicant has made a substantial showing of the denial of a constitutional right.

For the reasons stated in United States Magistrate Judge Faircloth’s recommendation and this Court’s order accepting the same, the Court finds that petitioner has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2). Accordingly, the application for a COA is **DENIED**.

SO ORDERED, this 10th day of July, 2007.

S/
WILBUR D. OWENS, JR.
UNITED STATES DISTRICT JUDGE

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